IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 13TH JUNE 2007 / 23RD JYAISHTA 1929

WP(C).No. 15601 of 2007(G)

PETITIONER:

V.A.VIJAYAN, S/O.AYAPPAN, AGED 55 YEARS,
VENGADU HOUSE, VALIYANDOM KARA, KATTAPPANA VILLAGE
UDUMPANCHOLA TALUK.

BY ADV. SRI.T.V.GEORGE
SMT.LINDA GEORGE

RESPONDENTS:

---

1. SPECIAL SALES OFFICER,
KATTAPPANA SERVICE CO-OPERATIVE BANK GROUP,
O/O ASSISTANT REGISTRAR (GENERAL) OF CO-OPERATIVE
SOCIETIES, UDUMPANCHOLA, IDUKKI DISTRICT.

2. IDUKKI DISTRICT TAX DRIVERS CO-OPERATIVE
SOCIETY NO.I-191, REPRESENTED BY ITS SECRETARY,
KATTAPPANA.

3. ASST.REGISTRAR OF CO-OPERATIVE SOCIETIES
UDUMPANCHOLA, NEDUMKANDOM, IDUKKI.

R1 BY GOVT. PLEADER SRI. P.K. RAVIKRISHNAN.
R2 & R3 BY ADV. SRI.D.SOMASUNDARAM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 15601/2007.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : TRUE COPY OF EXECUTION PETITION AS E.A.330/07 DTD. 21.2.07 BEFORE THE ASST. REGISTRAR OF CO-OPERATIVE SOCIETIES, UDUMPANCHOLA, NEDUMKANDOM.

EXT. P2 : TRUE COPY OF DEMAND NOTICE DTD. 4.5.07 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER.

EXT.P3 : TRUE COPY OF RECEIPT DTD. 4.5.07 FOR PAYMENT OF RS.2000/- BY THE PETITIONER.

K.M.JOSEPH, J.

- -

WP.(C) No.15601 of 2007

- -

Dated this the 13th day of June, 2007

JUDGMENT

Petitioner is a driver. He took a loan and it could not be repaid. He challenged Ext.P2 demand notice. Petitioner prays for sometime to pay the amount.

2. Heard counsel for the petitioner and the learned counsel for the Society Sri. D.Somasundaram. Counter affidavit is also filed by the Society.

The writ petition is disposed of permitting the petitioner to pay the entire amount due with interest in eight equal monthly instalments, the first of which shall be paid on or before 5.7.2007. The respondent Society will serve a statement on the petitioner showing the exact amount due from the petitioner within ten days from today. If the petitioner defaults any one of the instalments, he will loose the benefit of this judgment and the Society can proceed against the petitioner in accordance with law.

sb. (K.M. JOSEPH, JUDGE)

sb